

To: Jenkins, Joy[Jenkins.Joy@epa.gov]; Wharton, Steve[Wharton.Steve@epa.gov]; Abendschan, Sharon[Abendschan.Sharon@epa.gov]
From: Jackson, Laurianne
Sent: Wed 4/16/2014 6:24:34 PM
Subject: RE: water rights purpurchase to improve water quality - Upper Animas River

Joy

Thank you. I am hoping to work on a quick summary memo on this issue over the next week or two (in all my spare time). Even if no conclusions, I will at least help us narrow the key issues here. Stay tuned.

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From: Jenkins, Joy
Sent: Wednesday, April 16, 2014 12:23 PM
To: Wharton, Steve; Jackson, Laurianne; Abendschan, Sharon
Subject: FW: water rights purpurchase to improve water quality - Upper Animas River

All -

Since my and Steve's questions on Water Rights at the training a few weeks ago I have gotten some other information passed my way.

See below from Marcella. Probably won't solve our particular issues with the City water right at Nelson Tunnel, but this looks like a creative approach for being able to address mine site issues and water rights. Please disregard if you already are aware of this.

--Joy

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From: Hutchinson, Marcella
Sent: Wednesday, April 16, 2014 12:12 PM
To: Jenkins, Joy
Subject: water rights purpurchase to improve water quality - Upper Animas River

Joy -

I just thought this might be of interest after the question regarding water rights and water from a mine-site water treatment plant. A NPS project a while back involved addressing a water right whose ditch was causing still more water to infiltrate into a draining mine tunnel. The holder was willing to sell so . . .

The USFS, the Southwestern Water Conservation District (SWCD), and the NPS program collaborated to purchase all water rights to the Carbon Lakes trans-basin diversion ditch. Some of those rights have since been dedicated to Mineral Creek as "in-stream flow" with the rest reserved for "environmental purposes" by the Colorado Water Conservation Board. That project reduced infiltration into the Koehler tunnel, thus reducing its acidic discharge, and redirected a significant clean water resource back into Mineral Creek. The high elevation ditch has since been successfully restored to its original contours and vegetation of over 60 species of alpine plants.

Would this example be of any help in your situation?

Marcella